

**DECLARATION AND POWER OF ATTORNEY**

**REGULAR OR DESIGN APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS, FLEXIBLE BAG AND METHOD FOR DISPENSING

the specification of which:

(check one)

[ ] is attached hereto

[X] was filed on May 28, 2002 as Application Serial No.  
09/156,675, and was amended on \_\_\_\_\_.

[ ] was described and claimed in PCT International Application  
No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended  
under PCT Article 19 on \_\_\_\_\_, if any.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Priority Claimed**

(Number)	(Country)	(Day/Month/Year Filed)
(Number)	(Country)	(Day/Month/Year Filed)
(Number)	(Country)	(Day/Month/Year Filed)

**Priority Not Claimed**

**ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH PRIORITY IS CLAIMED**

(Number)	(Country)	(Day/Month/Year Filed)
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**CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

**CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S)  
UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional,  
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>09/909,422</u> (Serial No.)	<u>July 19, 2001</u> (Filing Date)	<u>Pending</u> (Status)
<u>09/978,649</u> (Serial No.)	<u>Oct. 16, 2001</u> (Filing Date)	<u>Pending</u> (Status)

**POWER OF ATTORNEY**

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Francis C. Kowalik, Reg. No. 34,646, Joseph B. Barrett, Reg. No. 34,769, Thomas S. Borecki, Reg. No. 32,964, Mark J. Buonaiuto, Reg. No. 31,593, Jeffrey C. Nichols, Reg. No. 36,879, Bradford R.L. Price, Reg. No. 29,101 and Michael C. Schiffer, Reg. No. 30,215, of Baxter Healthcare Corporation, Kurt F. James, Reg. No. 33,716, Michael E. Godar, Reg. No. 28,416, Kathleen M. Petrillo, Reg. No. 35,076, Donald W. Tuegel, Reg. No. 45,424, and Brian P. Klein, Reg. No. 44,837, of Senniger, Powers, Leavitt & Roedel.

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Send Correspondence To: Direct Telephone Calls To:  
Francis C. Kowalik Kurt F. James  
Baxter Healthcare Corporation (314) 231-5400  
One Baxter Parkway, 32E  
Deerfield, IL 60015-4633

Customer Number: 000321

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole or first inventor Hal C. Danby

Inventor's signature Hal Danby Date 7/22/02.

Residence Nr. Sudbury, England Citizenship UK

Post Office address Winthrop Hall, Chilton, Nr. Sudbury

Suffolk CO100PZ England

Full name of second joint inventor Alun Wilcox

Second Inventor's signature A. Wilcox Date 7/29/02

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PWT  
DWT/KFJ

OCTOBER 10, 2002

PTAS

BAXTER - DEERFIELD  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

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01/15/2002

MEDICATION DELIVERY

PATENTS



\*102185951A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/06/2002

REEL/FRAME: 013162/0813  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNEE:

DANBY, HAL C.

DOC DATE: 07/23/2002

## ASSIGNEE:

WILCOX, ALUN

DOC DATE: 07/29/2002

## ASSIGNEE:

BAXTER INTERNATIONAL INC.  
ONE BAXTER PARKWAY, DF3-2W  
DEERFIELD, ILLINOIS 60015SERIAL NUMBER: 10156675  
PATENT NUMBER:FILING DATE: 05/28/2002  
ISSUE DATE:

DB5770A

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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10218595 BXTW 11001.1  
 (Rev. 03/01)  
 OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings → → →

102185951

 U. S. DEPARTMENT OF COMMERCE  
 U.S. Patent and Trademark Office


To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

 Hal C. Danby  
 Alun Wilcox

8-6-02

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

- |                                                |                                         |
|------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other                 |                                         |

Execution Date: July 23, 2002; July 29, 2002

## 4. Application number(s) or patent number(s): 10/156,675

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional number(s) attached  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Francis C. Kowalik

Baxter Healthcare Corporation, 32E  
One Baxter Parkway

City: Deerfield State: IL Zip: 60015-4633

6. Total number of applications and patents involved: 7. Total fee (37 CFR 3.41).....\$ 40.00 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

19-1345

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE.

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

 Donald W. Tuegel  
 Name of Person Signing

Donald W. Tuegel  
 Signature
8/6/02  
 DateTotal number of pages including cover sheet, attachments, and document: 
 Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patent & Trademarks, Box Assignments  
 Washington, D.C. 20231

 08/2/2002 RAHMED1 00000042 10156675  
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 01 AC:581

\*\* TOTAL PAGE .03 \*\*

Serial No. 10/156,675

Filed May 28, 2002

Attorney Docket No.: BXTW 11001.1

In consideration of ONE DOLLAR and other good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, we hereby assign to BAXTER INTERNATIONAL INC. (hereinafter referred to as "assignee"), a corporation of Delaware, having a principal place of business at DEERFIELD, ILLINOIS, its successors, legal representatives and assigns, the entire right, title and interest throughout the world in our invention or improvements in

**APPARATUS, FLEXIBLE BAG AND METHOD FOR DISPENSING**

and in the application for Letters Patent of the United States therefor, executed by each of us individually on the date(s) indicated below and any and all other United States applications and applications in any and all countries which we may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States or of any other country which may be obtained on any of the said applications, and in any reissue or extension thereof.

We hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said BAXTER INTERNATIONAL INC.

We hereby authorize and request the attorneys of record in said application to insert in this assignment the date and serial number of said application when officially known.

We warrant ourselves to be the owners of the interest herein assigned and to have the right to make this assignment; and further warrant that there are no outstanding prior assignments, licenses, or other rights in the interest herein assigned.

For said considerations we hereby agree, upon the request and at the expense of said assignee, its successors, legal representatives and assigns, to execute any and all divisional, continuation, and renewal applications for said invention or improvements, and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application that said assignee, its successors, legal representatives and assigns may deem necessary or expedient, and for the said considerations we further agree, upon the request of said assignee, its successors, legal representatives and assigns, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof becoming involved in interference, to cooperate to the best of our ability with said assignee, its successors, legal representatives and assigns in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. We further agree to perform, upon such request, any and all affirmative acts to obtain Letters Patent, and vest all rights therein hereby conveyed in said assignee, its successors, legal representatives and assigns whereby said Letters Patent will be held and enjoyed by the said assignee, its successors, legal representatives and assigns to the end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made, and for the said considerations we hereby also assign to said assignee, its successors, legal representatives and assigns the entire right, title and interest in said invention or improvements for any and all foreign countries and the right of priority for patent and utility model applications in all countries arising under any applicable international convention for the protection of industrial property and/or any internal priority legislation of such countries, and we further agree upon the request of said assignee, its successors, legal representatives and assigns to execute any and all documents that shall be required to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said assignee.

**WITNESS our hand**

Date

7/22/02

Signature:

Name: Hal C. Danby

Inventor

Date

7/27/02

Signature:

Name Alun Wilcox

Inventor

Signed before me,

This 23 day of July, 2002

Witness

Signed before me,

this 29<sup>th</sup> day of July, 2002

Witness